



University of
BRISTOL

The preventive mandate of the NPMs

By Debra Long

Research Associate, University of Bristol



University of
BRISTOL

- Rationale for the OPCAT to prevent torture and other ill-treatment = rationale for OPCAT bodies
- NPMs to be “preventive bodies” not just visiting bodies
- Effective prevention requires range of complementary measures
- NPMs important “daily face” of the OPCAT



University of
BRISTOL

NPMs preventive mandate:

- Visits to places of detention
- Recommendations aimed at preventing torture and other ill-treatment
- Commenting on legislation
- Education and raising awareness
- Training activities



University of
BRISTOL

Commenting on legislation:

- Article 19(c) NPMs granted power - *“To submit proposals and observations concerning existing or draft legislation.”*
- Wide range of legislation may be relevant: criminal justice; health; immigration; protection of children; anti-discrimination etc.
- Government should be proactive send NPMs relevant legislation
- NPMs should be able to initiate proposals for new legislation

Raising awareness:

- Need to promote NPM activities
- Develop promotional materials
- Raise awareness among officials; detainees; general public
- Use of websites
- Wide dissemination of reports and recommendations

Training activities:

- NPMs can recommend training and education
- NPMs can carry out training/educational activities aimed at officials, judges, lawyers, general public etc.
- Article 26 of the OPCAT provides Special Fund for training programmes of NPMs



University of
BRISTOL

Challenges for NPMs:

- Need adequate number of staff with appropriate experience
- Need adequate financial resources to take into account broad preventive mandate
- For existing body may require changes in institutional “mindset” or working methodology